

RCE/1651 #19  
Dkt  
\$1327.2

<b>REQUEST FOR CONTINUED EXAMINATION (RCE)</b>	Application Number	09/610,152	<b>RECEIVED</b> DEC 12 2002 TECH CENTER 1600/2900
	Filing Date	July 5, 2000	
	First Named Inventor	Napoleone FERRARA	
	Group Art Unit	1651	
	Examiner Name	J. Weber	
	Attorney Docket Number	9491-043-27 DIV	

This is a Request for Continued Examination under 37 C.F.R. 1.114 of the above-identified application.  
Note: If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

1. **Submission required under 37 C.F.R. 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on \_\_\_\_\_
- iii. ☐ Other: \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment
- ii. ☐ Information Disclosure Statement (IDS)

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c)

- a. ☐ for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required).
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-1442.
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e).
- ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17).
- iii. ☒ Other Fee Transmittal
- b. ☒ Check in the amount of \$ 740.00 enclosed.

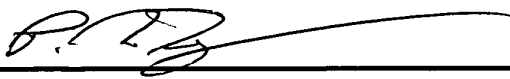
**CORRESPONDENCE ADDRESS**

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740.00 OP

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Name:	Steven B. Kelber	Registration No.:	30,073
Signature:		Date:	Dec. 9, 2002
Name:	Patrick R. Delaney	Registration No.:	45,338



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## FEE TRANSMITTAL

Docket No.	9491-043-27 DIV	DEC 12 2002
Serial No.	09/610,152	
Filing Date	July 5, 2000	TECH CENTER 1600/2900
Inventor(s)	Napoleone FERRARA et al.	
Group Art Unit	1651	
Examiner	J. Weber	

TOTAL AMOUNT OF PAYMENT \$740.00

1. <input type="checkbox"/> Applicant claims small entity status.										FEE CALCULATION (continued)								
<input checked="" type="checkbox"/> Charge any <b>UNDERPAYMENT</b> or credit any <b>OVERPAYMENT</b> in the indicated fees to Deposit Account No. 50-1442. <input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.										3. ADDITIONAL FEES								
										Large Entity		Small Entity		Fee Description				
2. <input checked="" type="checkbox"/> Check enclosed.										Fee Code	Fee (\$)	Fee Code	Fee (\$)		Fee Paid			
FEE CALCULATION										1051	130	2051	65	Surcharge-late filing fee or oath				
1. BASIC FILING FEE										1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet				
Large Entity		Small Entity		Fee Description						1053	130	1053	130	Non-English specification				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Paid						1812	2520	1812	2520	Ex parte reexam. fee				
1001	740	2001	370	Utility filing fee						1251	110	2251	55	1-mo. ext. of time				
1002	330	2002	165	Design filing fee						1252	400	2252	200	2-mo. ext. of time				
1003	510	2003	255	Plant filing fee						1253	920	2253	460	3-mo. ext. of time				
1004	740	2004	370	Reissue filing fee						1254	1440	2254	720	4-mo. ext. of time				
1005	160	2005	80	Provisional filing fee						1255	1960	2255	980	5-mo. ext. of time				
SUBTOTAL (1)								\$0.00		1401	320	2401	160	Notice of Appeal				
2. EXTRA CLAIM FEES										1402	320	2402	160	Appeal Brief				
tot. claims		-		20*		=	0	x	\$18	=	0	1403	280	2403	140	Request for Oral Hearing		
ind. claims		-		3*		=	0	x	\$84	=	0	1501	1280	2501	640	Utility/Reissue Issue Fee		
<input type="checkbox"/>		Multiple Dependent Claims								\$280	=		1502	460	2502	230	Design Issue Fee	
Large Entity		Small Entity		Fee Description						1503	620	2503	310	Plant Issue Fee				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Paid						1460	130	1460	130	Petitions to the Commissioner				
1202	18	2202	9	Claims in excess of 20						1806	180	1806	180	IDS Submission				
1201	84	2201	42	Independent claims in excess of 3						8021	40	8021	40	Assignment				
1203	280	2203	140	Multiple dependent claim, if not paid						1801	740	2801	370	For Filing RCE	740			
1204	84	2204	42	*Reissue independent claims over original patent						1802	900	1802	900	Expedited Design				
1205	18	2205	9	*Reissue claims in excess of 20 and over original patent						OTHER (indicate below):								
SUBTOTAL (2)								\$0.00										
* or number previously paid, if greater; For Reissues, see above										SUBTOTAL (3)						\$740.00		

Name	Steven B. Kelber	Registration No.		30,073	
Signature		Date	Dec. 9, 2002	Telephone	202-861-3900
Name	Patrick R. Delaney	Registration No.		45,338	



# 28/5  
DmT  
1227-02

Docket No. 9491-043-27 DIV

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: NAPOLEONE FERRARA, ET AL. GAU: 1651  
SERIAL NO: 09/610,152 EXAMINER: WEBER, J.  
FILING DATE: JULY 5, 2000  
FOR: IMPROVED ANGIOGENESIS USING HEPATOCYTE GROWTH FACTOR

**AMENDMENT**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

This Amendment is submitted in answer to the Office Action dated April 5, 2002, and further to the Notice of Appeal dated October 7, 2002. A Request for Continued Examination is filed in conjunction with this Amendment. Accordingly, this Amendment is considered timely filed on or before Monday, December 9, 2002.

**IN THE CLAIMS**

Upon entry of this Amendment, Claims 16-27 will remain pending.

Please cancel Claims 8-15 without prejudice or disclaimer.

Please add the following new Claims:

R1:124

<sup>17</sup>  
- - ~~16~~. (New) A pharmaceutical composition for treating vascular insufficiency or limb

ischemia secondary to arterial occlusive disease comprising:

E1

hepatocyte growth factor (HGF), and

a pharmaceutical carrier acceptable for injection that is intravenous, intraarterial, intraperitoneal, subcutaneous, muscular or other infusion such that delivery to the bloodstream in an effective form is ensured.